

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,
ex rel. David V. McIntosh,

Civil No. 08-SC-6471 (DWF/JJK)

FILED UNDER SEAL

Plaintiffs,

v.

ORDER

M.K. Battery, Inc.; East Penn Manufacturing
Co., Inc.; N.P.C. Robotics, Inc.; and BAE
Systems, Inc.,

Defendants.

In accordance with Plaintiffs' Stipulation to Dismiss (Doc. No. [69]),

IT IS HEREBY ORDERED that:

1. This case is **DISMISSED WITH PREJUDICE** to the United States to the extent of the Covered Conduct in the Settlement Agreement in this matter among the United States, the Relator, and the Defendants, and otherwise **WITHOUT PREJUDICE** to the United States;

2. The Relator's claims in this matter are **DISMISSED WITH PREJUDICE**; however, Relator's claims to the following are **NOT DISMISSED**: Relator's retaliation claims against MK Battery, Inc. under 31 U.S.C. § 3730(h), Relator's Minn. Stat. § 181.932 claim under the Minnesota Whistleblower Act, and Relator's claims under 31 U.S.C. § 3730(d) for reasonable expenses, attorney fees and costs.

IT IS FURTHER ORDERED that the Court shall retain jurisdiction over any disputes that may arise regarding compliance with the Settlement Agreement, as well as the Relator's remaining claims as set forth in paragraph 2.

Dated: September 11, 2014

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge